

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

PENNY L. BENNETT

VS.

**CASE NUMBER: 6:07-CV-780
(NAM)**

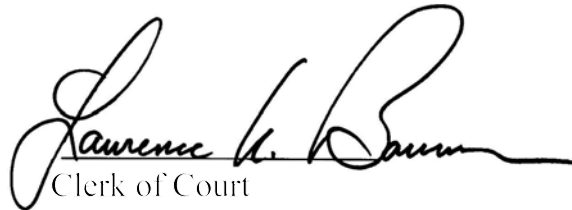
**MICHAEL J. ASTRUE,
Commissioner of Social Security**

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the Commissioner's decision denying disability benefits is REVERSED and the case is REMANDED to the Commissioner for further administrative proceedings in accordance with Sentence 4 of 42 U.S.C. § 405(g). Pursuant to Local Rule 72.3 the referral to a Magistrate Judge in this action has been RESCINDED. Any appeal taken from this Order will be to the Court of Appeals for the Second Circuit.

All of the above pursuant to the Order of the Honorable Chief United States District Judge Norman A. Mordue, dated the 30TH day of September, 2010

DATED: September 30, 2010


Clerk of Court

s/ Melissa Ennis

Melissa Ennis, Deputy Clerk